

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DISTRICT**

NE'TOSHA BURDETTE, on behalf of herself
and all others similarly situated,

Plaintiff,

vs.

FUBOTV INC.,
Defendant.

Case No. 1:23-cv-10351

District Judge Harry Leinenweber

FUBOTV, INC.'S MOTION TO DISMISS COMPLAINT

Pursuant to Federal Rule of Civil Procedure 12(b)(6), and for the reasons set forth in the accompanying memorandum of law, Defendant fuboTV, Inc. hereby moves this Court to dismiss the Complaint, ECF No. 1-2, with prejudice for failure to state a claim upon which relief can be granted.

WHEREFORE, fuboTV, Inc. respectfully requests that this Court dismiss the Complaint with prejudice under Rule 12(b)(6) for failure to state a claim.

Dated: November 3, 2023

Respectfully submitted,

/s/ Kathryn K. George

Kathryn K. George, one of the Attorneys for
Defendant fuboTV, Inc.

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CERTIFICATE OF SERVICE

I, Kathryn K. George, hereby certify that I caused a copy of the foregoing to be served on the parties listed below, by operation of the Court's CM/ECF system, on November 3, 2023.

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Dated: November 3, 2023

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